

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

CIVIL NO. 97-1284(SEC)

B) ONE URBAN LOT LOCATED AT NO.  
69 CIUDAD JARDIN II, TOA ALTA,  
MORE FULLY DESCRIBED AT PUERTO  
RICO PROPERTY REGISTRY OF TOA  
ALTA AS FOLLOWS:

URBANA: Solar #69 de la  
Urbanización Ciudad Jardín II, First Stage,  
localizado en el Barrio Piña del Municipio de  
Toa Alta, con una cabida superficial de  
658.56 metros cuadrados, en lindes por el  
Norte, en una distancia de 25.605 metros  
con el solar #70; por el Sur, en una distancia  
de 25.605 metros con el solar #68; por el  
Este, en dos alineaciones distintas, en un arco  
de longitud de 7.199 metros con la calle  
Sauco de la urbanización; y por el Oeste, con  
una distancia de 26.019 metros con el solar  
#81, todos estos solares\* pertenecientes al  
referido desarrollo urbano.

Se segregó de la finca 16,923, inscrito al folio  
201 del tomo 341 de Toa Alta.

Registered at the Property Registry of Toa  
Alta at page 111 of volume 370, property  
no. 18520, 1st inscription.

THIS PROPERTY ENCUMBERS THE  
FOLLOWING LIENS: A mortgage in favor  
of Santander Mortgage Co. for \$150,000.00  
with an annual interest of 7.875%.

||  
**CONSENT JUDGMENT**

**WHEREAS** plaintiff, the United States America, claimants Abelardo Torres Padilla and his former wife Milagros Pérez Rosario, have reached an agreement whereby this action will be settled and final resolution of this case be achieved.

**AND WHEREAS** the parties have agreed that the United States will forfeit the Defendant property, described as:

**B) ONE URBAN LOT LOCATED AT NO. 69 CIUDAD JARDIN II, TOA ALTA, MORE FULLY DESCRIBED AT PUERTO RICO PROPERTY REGISTRY OF TOA ALTA AS FOLLOWS:**

URBANA: Solar #69 de la Urbanización Ciudad Jardín II, First Stage, localizado en el Barrio Piña del Municipio de Toa Alta, con una cabida superficial de 658.56 metros cuadrados, en lindes por el Norte, en una distancia de 25.605 metros con el solar #70; por el Sur, en una distancia de 25.605 metros con el solar #68; por el Este, en dos alineaciones distintas, en un arco de longitud de 7.199 metros con la calle Sauco de la urbanización; y por el Oeste, con una distancia de 26.019 metros con el solar #81, todos estos solares\* pertenecientes al referido desarrollo urbano.

Se segregó de la finca 16,923, inscrito al folio 201 del tomo 341 de Toa Alta. Registered at the Property Registry of Toa Alta at page 111 of volume 370, property no. 18520, 1<sup>st</sup> inscription.

THIS PROPERTY ENCUMBERS THE FOLLOWING LIENS: A mortgage in favor of Santander Mortgage Co. for \$150,000.00 with an annual interest of 7.875%.

AND WHEREAS Upon entry of the consent judgment in its favor, the United States will proceed to sell the defendant property.

AND WHEREAS the parties further agree that from the sale proceeds of the Defendant property, the United States will first pay any expenses incurred in relation to the sale of the property and pay off the mortgage.

AND WHEREAS the remaining balance will be divided in the following manner:

Fifty percent (50%) to the United States of America

Twenty five percent (25%) to Mr. Torres Padilla

Twenty five percent (25%) to Mr. Torres-Padilla former spouse, Milagros Pérez-Rosario.

**AND WHEREAS** claimants Torres-Padilla and Milagros Pérez-Rosario agree to the dismissal of their claims with prejudice.

Now, therefore, upon motion by the parties for Consent Judgment, it is hereby, ORDERED, ADJUDGED AND DECREED that:

1. Upon entry of this judgment the United States will first pay any expenses incurred in relation to the sale of the property.

2. From the sale proceeds of the Claimants' property the United States will first pay any expenses incurred in relation to the sale of the property and pay off the mortgage.

3. The remaining balance will be divided in the following manner:

Fifty percent (50%) to the United States of America

Twenty five percent (25%) to Mr. Torres Padilla

Twenty five percent (25%) to Mr. Torres-Padilla former spouse, Milagros Pérez-Rosario

4. The claims of Abelardo Torres Padilla and his former spouse Milagros Pérez Rosario are hereby dismissed with prejudice.

5. Each party shall bear its own costs, expenses and attorney fees.

6. The United States will dispose of the forfeited amount according to law.

7. All other terms and conditions of the Stipulation to Consent Judgment are incorporated herein by reference, as is fully stated.

8. This judgment shall become firm, final and unappealable once entered on docket.

SO ORDERED.

In San Juan, Puerto Rico, this 14th day of January 2005.

S/SALVADOR E. CASELLAS  
United States District Judge